



The Independency O F E N G L A N D,

Endeavoured to be maintained

B Y

HENRY MARTEN, a Member of Parlia-
ment there, against the claime of the *Scotish Commissioners*, in their
late Answer upon the Bills, and Propositions, sent to the King in
the Isle of WIGHT.



Or rectify, not to upbraid you: You have for divers yeares together been well en-
treated by us of this Nation, and that from a willingness we ever had, as upon all
occasions, so particularly in your persons, to manifest the brotherly respect we bear
towards them who sent you: Upon the same Accompt, many former boldnesses
and provocations of yours have been wincked at by the Parliament, as (I am confi-
dent) this last Answer would likewise be, did you not therein seeme to have remain-
ed here so long, as to have quite forgotten why you came.

You may therefore please to be remembred, that it was no part of your first bu-
siness (whatever supplementall Commissions may have since been procured for a further exercise of
of your patience among us) to settle Religion, nor to make a peace in *England*; so as all those devout-
like and amicable endeavours for which you thinke to be thanked, were not only intrusions into
matters un-concerning you, but so many diversions from performing as you ought, what was proper-
ly committed to you.

As for our *Religion*; since the zeale of your Country-men would needs carry their care thereof so
farre from home; methinks their Divines, now sitting with ours at *Westminster*, might excuse your
trouble in this particular, or at least might teach you by their practice, that your advice therein to
the Parliament, is to be but an advice, and that an humble one.

As for the other particular of *Peace*, it is true, that about three years agoe here were Ambassa-
dours from our Neighbours of the *Low Countries*, who having found the King almost weary of fight-
ing, made use of their priviledge, and did his Errand (in stead of their masters) which was with big
words to beg a Peace.

After that, when the Kings cause had nothing left to leane upon, but the treachery of our false friends,
and servants, an Ambassadour from our Neighbours of *France* did (*en passant*) make a certain overture
of accord betwixt the Crown and the Head.

But your employment here from our neighbours of *Scotland*, had so little relation to Peace, that
your only worke was to joyn Councils with a Committe of ours, in ordering and disposing such Auxili-
ary Forces, as that Kingdome should send into this, for the carrying on the Warre.

As to the delays you charge upon the Parliament, in that they answer your papers sometimes late, and sometimes not at all, yet require peremptory and speedy Resolutions from you, as if their dealings were unequall towards you, I hope you will give over making such Constructions, when you shall consider how much more business lies upon their hands, then upon yours; and how much slower progress the same Affairs must needs finde, in passing both Houses, then if they were to be dispatched only by four or five Commissioners. Were not I conscious to this truth, and to the abundant Civility they have alwaies for you in their undelayed reading, present referring, and desire of complying with what you send them, so far as might consist with their duty to this Common-Wealth, and that they want nothing but time to say so, I should never have presumed to trust so great a Cause upon the Patronage of so rude a Pen: Neither indeed is it left there, my design being to let the World imagine, how strong a stream of Justice runs on our side, when I dare oppose the Reasons of my single Barque, against all the advantages of Number, Abilities, and Countenance that you can meet me with.

For orders sake, I shall take the pains to set the body of your Discourse as upright as I may (its proximity and perplexity considered) upon two feet.

One is, *The Claime you make in behalfe of the Kingdome of Scotland, to the inspection of, and conjunction in the matter of our Lawes, and the conditions of our Peace.*

The other (mistaking the first for evinced) is, *Your telling us what you thinke fit, and what unfit, for us to establish in our Church and State, and what way you conceive most proper for obtaining of a Peace betwixt the King and us; together with the Proofs wherewith you seeke to fortifie your severall Opinions.*

It would give your first foot too much ground, to hold Dispute with you upon the second; therefore since a man may see by your forwardness in printing and publishing both these and other your Transactions with the Houses, that your Arguments (like the Kings in his Messages) are not framed so much to satisfie the Parliament, as to beget in the People a dissatisfaction towards the Parliament: I will (God enabling me) take a time apart to undeceive my Countrey-men concerning both the King and you, by laying the Hook as open as the Bait in all your lines; And for the present apply my selfe only to the shewing you, That when you shall have offered your Councell to the Parliament of England (as for ought I know any one man may do unto another) in matters concerning this Kingdom only, though the most wholsom Councell that ever was or can be given, and the Parliament shall not approve it, nor so much as a Conference upon it, it is no more manners in you, then it would be in the same number of Spaniards, Indians, or of the most remote Region of the Earth, to press it again, to insist upon it, and to proclaim your unsatisfaction in it.

Let us (with your favour) consider your pretences: *You do not aim (as your selves profess in the second Paragraph of your fourth page) at sharing in our Rights, Lawes, nor Liberties, but in other matters, viz. such as either in their own Nature, or by Compact, are common to both Kingdoms; which I take the more notice of, because one would suppose you to be grown kinder now then you were the other day, when you went about to make us believe, that nothing in our Lawes did properly belong to us, but the form and manner of proceeding therein, the matter of them being held in common with the Kingdom of Scotland; and therefore, and for their possibility of containing something prejudiciall to that Kingdom, to be revised by you before they receive their perfection.*

But the truth is, you are still where you were; only the Peoples eares are by this time so habituated to the Doctrines you frequently sow among them, those Doctrines so improved by your Seminaries, who find their own Interest interwoven with yours, and the Parliament seeming but a looker on, that you perswade your selves any thing will pass that you shall set you Stamp on, otherwise you would certainly have been ashamed to disavow the busying your selves with our RIGHTS, LAWES, and LIBERTIES, and with the same breath to dispute our Rights, correct our Lawes, and infringe our Liberties.

Nay, contrary to that moderate concession of yours, you do in this Answer intrench upon the very formal manner of our Bills and Propositions; and as if the marshalling them, the putting them into rank and file, were to be by your order, you take upoa you to appoint which of our desires shall have the Van, and which the Rere in this Expedition.

And (which is the most pleasant part of the Story, if it would take, as truly such a thing might have done, when you and we were first acquainted) though the Parliament of England (as I told you even now) would not order the motions of the Scottish Army that served us in our Countrey,

(as you could not forbear meddling with our Army when it was in modelling, so) do in this Paper continue the Office (you put your selves into) of Disposing, Disbanding, Dismembering, Catechizing and Reviling this Army of ours, the greatest Bulwark, under God, of our Liberties, that yet had proved ineffectuall, if your Councells had been followed, or your importunities regarded.

Since then your way of advising us is not in a modest or submitting manner, but as if you meant to pinne your advice upon us whether we will or no; give me leave, I pray you, to examine quafiducia, promising you faithfully for my part, that whensoever you shall bring the matters contested for, within the rules of your own setting downe, that is, either in Nature, or by Covenant, or by Treaty, to be of a mixed concernment; I will either not deny you a joyn interest in them, or acknowledge my selfe to have no more honour nor conscience in me, then he may be said to have, who being entrusted for his Country, gives up their dearest rights to the next stranger that demands them, without so much as arguing the point.

Your Arguments (by my computation) are five, and (if I understand them) speake thus.

I. Argument.

The same common Interest upon which Scotland was invited and engaged in the warre ought to be [continued] (so I read you, and not improved, that being a wilde expression, and reaching neither you nor I know whether) in making the peace.

For Answer thereunto, should I admit it, the word (invited) puts you in mind that your Country-men came not to the Warre before they were called; keepe you the same method, in accendo ad consilium; and we shall still be friends. But I cannot subscribe to this position, for I believe it was a duty that the People of Scotland did owe unto themselves to give us their assistance in the late Warre, though they had not been invited; yet doth it not follow from thence that when the Warre is ended (as you often say it is, and yet most riddlingly take huge paines for peace) they are bound to mingle with us in our Councils, nor help us to settle our own Kingdome, which we think our selves able to to settle well enough without them, at least without their prejudice to whom a good peace or a bad, so as it be a peace is the same thing. For instance, the Law of this Land that gives me leave to pull down my neighbours house when it is on Fire, in order to the quenching of it, for the securing of of my own, will not authorize me against his will, to set my foot within his threshold, when the fire is out, though I make it my errand to direct him in the rebuilding of his house, and pretend the teaching him so to contrive his chimnies as may in all probability prevent for the future a like losse to him, a like danger to my selfe.

II. Argument.

You demand the same conjunction of interests to be given you, that was had of you.

There I joyn issue with you, and professe, that if the Parliament of England, or any authority derived therefrom, did offer to put a finger into the proper affaires of Scotland, or into the Government, Civill, Ecclesiasticall, or Military, of that Kingdome, and being once required to desist, did notwithstanding prosecute their title of advising *volentibus nolentibus*, I shall readily so farre as in me lyes, grant you to have a hand with us in the managing of this Kingdome, and the Government thereof.

III. Argument.

You affirme that the Covenant entred into betwixt us makes you co-partners with us in every thing there mentioned, by which reckoning neither this Nation, nor that of Scotland, hath any Right, Law, or Libertie which either can properly and distinctly call is own, but both interests are jumbled together, and the two Kingdomes are not confederate, but incorporated concerning the Covenant, therefore (which my selfe, among others, considering it first as well as I could) have taken) I shall shortly give you my sence in relation to the point before us.

First, I do not conceive the parties to that League intended thereby to be everlastingly bound each to other, the grounds of striking it being meerly occasionall for the joyning in a warre to suppress a common enemy, accordingly we did joyn, the enemy is (if we be wise) suppressed, and the warre (as you say) ended, what should the Covenant do, but like an Almanack of the last years show us:

Secondly, what would it doe, were it renewed and made perpetuall? Thus much it saith in my opinion, and no more. Whensoever you shall be violently hindered in the execution of that Religion you had amongst you at the time of the Engagement, and shall require our assistance, we must afford it you, for the removall of that violence. In like manner, whensoever we shall be so hindered in the exercise of that Religion which we according to that Covenant shall establish here, upon request to you made for that effect, you are tyed to assist us. And so throughout all the other clauses respectively, and equally, carrying this along with you; we are hereby obliged to the reciprocal defence of one another, according to the Declaration of the party wronged in any of the particulars there comprized, without being cavilled at, or scrupled by the party invoked, whether your Religion be the same it was, or ours the same it should be; whether the bounds of your liberties or ours be not enlarged beyond their then-line; whether your Delinquents or ours be justly so or no. For, the native rights of both peoples being the principall, if not the only thing we looked on, when we swore; we doe not keep our Oath in preserving those rights, if we doe not allow this matter right, to each severall people, namely, to be sole judges within themselves, what Religion they will set up, what kind of Lawes they will have, what size, what number of Magistrates they hold fit to execute those Lawes, and what offenders to be tryed by them. Hereupon you know we did not enquire at all how Orthodox your Religion was before we vowed to maintain you in it, that is, in the quiet professing of it, (not in the Theologicall truth of it, a businesse for a University perhaps, not for a Kingdome) being well assured, it was established by them who had all the Authority that is visible to chuse for themselves, and could not without apparent breach of order, and injury to fundamentalls be disturbed in the exercise of what they had so chosen.

So farre is the plain text of this Covenant from confounding interests, that it clearly settles and confirms them upon the severall bases where it found them. And it would not be unworthy of you to take heed least this Covenant upon which you seem to set so high a rate, be not as easily violated as slandered, since the most deadly Wars have been said at least to begin with mis-understandings.

IV. Argument.

Your entitling your selves to a consance in the conditions of your Peace, and consequently in the matter of our Lawes (when they relate to an agreement, as I confesse the four Bills doe which were sent) is grounded upon a very great mistake of the eighth Article in the Treaty, the words whereof are indeed very rightly incited by you, and the Article it selfe so rational, so ordinary, so necessary in all warres joyned in by two States; that I doe almost wonder as much what need there was to have incerted it, as I doe how it is possible for you to mistake it.

It stands briefly thus. One of you (for the purpose) and I (pardon if you please the familiarity of the instance) have solemnly engaged our selves each to other for our mutuall aid against a third person, because we conceived him too strong for either of us single, or because one of us doubted he might have drawn the other of us to his party, if not pre-engaged against him: but which soever of us was first in the quarrell, or whatever was the reason of the others comming in, we are engaged, and though there were no writings drawn betwixt us, no terms expressed, were not I the veriest Schelm that ever looked man in the face, if I should shake hands with the common adversary and leave you fighting? against such a piece of baseness (supposing it belike to be in nature) this Article provides, and saies, that since these two Kingdomes were content to joyn in a War, which without Gods great mercy might have proved fatal to them both, neither of them shall be suffered to make its peace apart; so as if the Parliament of Scotland, upon consideration of reasons occurring to themselves should offer to re-admit the King into that Kingdome (I say not with honour, freedom, and safety, but) in peace, the Parliament of England, might step in and forbid the bannes, telling them we are not satisfied that an agreement should yet be made, *similiter*, if this Parliament would come to any Peace with him by Bills or Propositions, or by what other name soever they call their plaisters, you may (being so authorized) in the name of that Kingdome or the Parliament thereof, intervene, and oppose, telling us that you who are our fellow-Chirurgions, meerly in launcing of the sore, are not satisfied in the time for the healing of it up. But for you to read a lecture to us upon our medicaments and their ingredients, to take measure of our Wounds, and to prefer your measure before that of our own taking, was never dreamt on by the Framers of this article.

Here it may perhaps be demanded though not by you, whether (according to my sence of the Treaty, tying up both Kingdoms to a consent in the *Fiat*, not in the *Qualis fuerit* of Peace) if one should be obstinately bent to hang off, the other be necessitated to wester everlastingly in bloud for want of such a concurrence? I answer, yes, for these reasons.

First, a wise man will fore-see inconveniences, before he make his bargaine, and an honest man will stand to his bargaine notwithstanding all inconveniences.

Secondly, there will be no great encouragement for any obstinacy of that kinde, when it shall be remembred, that the party obstructing the peace, must continue to joyn in the Warre, and is lyable to all the consequences thereof.

Thirdly, there is another and a more naturall way to peace, and to the ending of a Warre, then by agreement, namely by Conquest. I thinke he that plaies out his set at Tennis till he win it, makes as sure an end of it, and more fair, then he that throwes up his Racket when he wants but a stroke of up, having no other way to rook those of their money that bet of his side. If I am trusted to follow a suit in Law for friends concerned therein, together with my self, and daube up a rotten compromise with my adversary, my fellowes not consulted, but desiring the suit should still go on, it is not fit they should be bound thereby; but if I continue to doe my duty and bring the cause to hearing, to a verdict thereupon, and to judgement upon that; such an end of the quarrel I hope I may make without their leave, and if the tryall went with me, certainly without their offence.

To returne to the nature of confederacies, Is the War wherein we are ioyned an invasion from without? any one of either side if he have strength enough, hath authority enough to end it, by repelling the invader: is it a rebellion from within? it were strange to thinke that any Law or engagement should hinder a single man from ending it, if he be able by suppressing of the rebels. The unworthy friend in the fable, when his companion and he met a bear in the wood, might have been allowed to kill her himself, but he should not have sought his safety in a tree, without taking his friend along with him.

One thing more I shall adde to iustifie the reason of this eighth Article, such as might (for its cleareness of being implied) have excused its being listed among the rest. Never did any people that ioyned in arms with a neighbour-nation patch up a peace apart, with more dishonour to it self, then either of us should do, if we could imagine our selves to be so vile; for the common enemy in this War is not a stranger unto either Kingdome, but the King of both, so as which soever of the two closeth with him by it self, before consent, that there shall be at all a closure, doth not only withdraw from the other those aids it should contribute, but of a sworn brother becomes an open enemy.

Here I must observe, that as you put an interpretation upon this Article, which it will not bear, and from the power you have thereby of hindering us from agreeing with the King at all, would enable your selves to pry into the particulars of our Agreement, so you doe not once glaunce at the point which was the true genuine scope of the Article: You do not protest against our making peace with this man; and give such reasons as *Jehu* did, upon a less occasion: You doe not wonder what confidence we can repose in him, after all this experience of him, and before so much as a promise of any amendment from him; you do not warn us, by the example of your Countrey men, what a broken reed we shall lean upon when we make a pacification with him: You do not remember us with what horror the Assembly of your Church did look upon his misdoings; nor what sence both Kingdoms had (not of a reconciliation with him, but) of suffering him to come neer the *Parliament of England*, untill satisfaction were given for the bloud which he had then caused to be shed in the three Kingdomes. In fine, You do not say (for you need not give us your reasons) that you will make no peace with the King; therefore we ought not, but you do as bad as say that you have made your peace already, and that not only without our consent (in despite of the Article which you urge against us) but without our privity, that you are come a degree beyond being friends with him, to be advocates for him, not in mediating that his submission might be accepted, his crimes obliterated, and their salary remitted, but in asserting the same cause which we have been all this while confuting with our swords, the same cause, which, what English-man or Scottish-man soever, shall have endeavoured to maintain in Arms, is a declared Traytor to his Countrey, if by his tongue or pen in

that Kingdome of the two where he is no native, a manifest incendiary. But there will be time enough to do your errand into Scotland, after I have proved England to be a Noun Substantive, against which you have the shadow of one Argument left still.

The strength of your last Reason is this, *Our Parliament hath formerly communicated unto you the matter of their Propositions, and of their Bills, in order to Peace, and generally indeed whatever hath passed betwixt the King and us, since the conjunction of the two Kingdomes against him. Thereupon you have offered us your advice concerning the particulars so communicated, and we have re-considered them upon your advice, sometime complying therewith, other times making it appeare to you why we could not; that communication of counsels, say you, we would never have suffered, if we had not been bound to it, which if ever we were, we still are.*

Custom and constant usage (I acknowledge) doth commonly obtain the name of Law: but the late practise of some foure or five yeares, hath not an aspect reverend enough to deserve the name of Custom: it is as old (you will say) as an usage can be that is grounded upon a Treaty of the same age, and shall be sufficient to signifie how the parties to the Treaty did understand their own meaning. I should not deny this pretence of yours to be more then colourable, if you could prove that our transactions with the King were imparted to you in relation to that Engagement; nay, if I could not shew you upon what other ground we did, and that we could not reasonably be imagined to do it upon that.

First, to prove, that the Parliament had in their intentions, when they advised with you, I believe you will not undertake, especially this being the first time, to my remembrance, that this point came in question betwixt us. I shall therefore endeavour to tell you, as neare as I can, (having been an attentive witness to most of their debates upon that subject) what it was that moved them to give your challenge so much probability of advantage at this amounts to. *You aske that now without being answered, which you were wont to have without asking.* You were so; and that from these two Roots: One was the extraordinary care the Parliament had to omit no act, no circumstance of civility towards you, which might expresse, or preserve, the amity and correspondence betwixt them and your masters; though they were not ignorant what extreme prejudice courteous and good natured men have often drawn upon themselves in their dealing with persons of a contrary disposition. Another was, since both Kingdomes have been imbarqued in the same cause, as men of War, and were afterwards resolved to trade for Peace, since the commodities of both were to be stowed in the same bottom, and bound for the same Port; We thought it but an ordinary piece of Friendship, for us, who could make no markets when we should be arrived without your allowance, to open and let you see before we launched our severall parcels, and instructions concerning what we would export, and what bring home: not that we meant to confit you what kind of Merchandize you thought fittest for us to deale in, which questionlesse is better known at the Exchange then at Edinburgh, nor to follow such advice therein as you should give us without asking, any further then we liked it; and so farre the best Merchant in London is content to be ruled by the Swabber of his Ship: but meerely to the end you might if you pleased from our example, and from your approbation of the ware we were resolved to deale in, furnish that Kingdome (whose Factors you were) with Merchandize of the same Kind: and for evidence that the Freedome we used towards you was no otherwise understood by you, you did actually under-write divers of our bills of Lading in these sillables, *The like for the Kingdome of Scotland.*

It remains to be shewed how little reason there is you should fancy to your selves such a ground of the Parliaments former openness to you, as you strive to father upon them. For, First, If they had communicated their Propositions to you, as conceiving the word (*Agreement*) in the eighth Article to comprehend all the preparations to, materials of, and circumstances in an Agreement, they would not have adhered (as many times they did) unto their own resolutions, notwithstanding your reiterated dissatisfactions. Again, if they had conceived themselves bound to any such thing by this Article, would they not have thought the Kingdome of Scotland as much bound for their parts? Should we not have been as diligent inspectors, and castigators of your Propositions, as you have made your selves of ours?

When you shall aske me, setting the point of duty aside, and granting all that hath been done by us in this kind to have been voluntary; why do we not observe the same forwardnes in communicating our matters to you, the same patience in expecting your concurrence with us, and the same easiness of admitting your Harangues and disputations amongst us, which you have heretofore tasted at our hands, and how we are become less friendly then we were? I have this to say. There is some alteration in the Country-men in the

Field, we might have occasion to give you meetings at Derby House, and now and then in the Painted Chamber, it being likely that the Kingdome of Scotland might then have a fellow feeling with us of the wholsomnes or perniciousnes of your counsels; whereas now, since we are able (by Gods blessing) to protect our selves, we may surely (with his holy direction) be sufficient to teach our selves how to go about our own business at least without your tutoring, who have nothing in your considerations to looke upon, but either your particular advantage, or that of the Kingdome whence you are. And as there is some alteration in affaires, so there is very much in persons, I meane in your selves, unless being indeed the same at first which now we find you, you only wanted opportunity to appear; bus whether you be changed or discovered, what English-man soever shall peruse the Papers that you have shot into both Houses of Parliament, especially into the House of Commons, these two last yeares, had as lieve take advice from the King as you; and if a Stranger should read them, he would little suspect the writers for friends, or counsellors, but for pleaders for, expostulators for, seekers of a quarrell; and that (which is the most bitter weed in the pot) in the behalfe, not so much of them who did employ you, as of him against whom you were employed, and against whom, if you were Scottish men, nature would teach you to employ your selves.

By this time I hope you see we have greater cause to repent that we have kept such Thornes thus long in our sides, then to return with the Dog to the same vomit, and with the lazie Sow, scarce cleansed of her former wallowing to bemire our selves again. I bestow a little the more inke upon this point; because I would prevent the like claime hereafter, and have it left to the liberty of this Nation, next time they shall be invaded or oppressed, though they did once call their brethren of Scotland to their aide, whether they will do so any more or no.

Having gone through your five Arguments, at the end of your dozen Commandements (so I call desires that must not be slighted on pain of incurring the guilt of violating Engagements, and of such dangers as may ensue thereupon.) I observe one Engine you use, whereon you lay more weight then upon all your say beside; it begins with a flourish of oratory, bespeaking a sure interpretation of your meaning, though your motion be to take the right eye out of every one of our heads; then you thinke to make your desires legitimate, with fathering them upon a Kingdome, and put us in mind how well that Kingdome hath deserved to raige over this. For to the offering of desires, there needs no merit sure: but since your opinion (that the advantages of honour lye all on that side, and that Obligations of this sort have not been as reciprocall between both Nations, as those of Leagues and Treaties.) will force my Pen upon this Subject: I shall let you know that somewhat may be said (when modesty gives leave) on this side too; and yet all the kindnesses we have received from Scotland, shall (by my consent) not only be paid for, but acknowledged: And I can be content to believe, that our neighbours did not know how ill we were, till we were almost past cure, and therefore came slowly to us; that they did not know how well we were in a yeare after we had nothing for them to do, and therefore went slowly from us. Only I would have it confessed, that the fire we talke of, was of your Country-mans kindling, began to burn at your House, to be quenched at ours, and by our hands. But admit this Nation had been meerely passive in this Warre, and did owe their deliverance out of the Kings Talons wholly to the Scottish Nation, if the rescuer become a ravisher, if they have protected their own prey, they have merited only from themselves, and have their reward in their hands. What have we gotten by the bargain? What have we saved? What have we not lost? For if once you come to fetch away my liberty from me, I shall not aske you what other thing you will leave me: and the Liberty of a People governed by Lawes as themselves, or those whom they depure for that purpose shall make choice of: to give out orders is the part of a Commander; to give the Law, of a Conqueror; although our Norman did not thinke fit so to exercise his right of Conquest; Nay our condition would be ever and more contemptible, if we should suffer you to have your will of us in this particular, then if we had let the King have his.

I.

The King is but one Master, and therefore likely to sit lighter upon our shoulders, then a whole Kingdome; and if he should grow so heavy as cannot wel be borne, he may sooner be gotten off then they. You shall see a Mounsignours Horse go proudly under a single man, but (to carry double) to be Charge en crouppe, is that which Nature made a Mule for, if nature made a Mule at all.

II.

The King never Pretended to the framing and imposing of Lawes upon us as you do; he would have been content with such a negative voice therein, as we allow you in the making of our peace with him: did we fight rather then offer him so much, though he should have it.

never durst aske of ours III.

Lastly, it had been farre more tolerable for the King, then for any Forraign Nation to have a share in the making our Lawes, because he was likely to partake, and that largely, in the benefitt of them, if good; in the inconveniences, if bad; which strangers are not: nay contrarily, it is matter of envy, and jealousie betwixt Neighbours, to see each other in a flourishing estate. So as the proper end of Lawes being to aduance the People for whom they are made, in wealth & strength, to the uttermost; they are the most incompetent Iudges of those Lawes in the world, what interest is to binder this People from growing extreemly rich or strong.

By what hath been already said, and by a word or two of close, it will (I hope) appeare, that the claime you make to the voting with us in the matter of our Lawes, and the conditions of our Peace, as a thing whereunto we should be obliged by Agreement, is;

I.

Justified in matter of Fact, there being no such engagement on either side.

II.

Unreasonable for the considerations above mentioned, and for being destructive to the very principles of Peace.

III.

Unreasonable (in the consideration) more then Cyrus his childish judgement was with the great one, because his was young, and the others were only longer then yours, but as he for us that do

III.

...ent for it, that I could ever read, or heare of; and yet there is a stricter union, then this betwixt us, as offensive, and de-

...ers, boundaries and distinctions, (I meane recall and jurisdiction) is a surer way to preserve peace among neighbours, then the former. ... can be not admitted wise enough to do his own business, who ever hath the power, will quickly be the wisest man; and disinherit all his neighbours for Fools.

V.

Impossible to be made good to you, if it had been agreed: For the Parliament it selfe, from whom you claime, hath not in my humble opinion, authority enough to create another authority equal to it selfe.

As for your exhortations to piety and loyalty, wherewith you conclude. When you have a mind to offend against your God, and Tribute to your Emperour, (since the one will not be mocked, and the other should not) you may do well to do it of your owne, and to remember, that the late unnaturall Warre, with all the calamities that have ensued thereon, tooke its rise from unnaturall encroachments upon the severall Rights and Liberties of two Nations, resolved it seemed to hold their own, with the hazard of a Warre, and all the calamities that can ensue thereon.

Henry Marten.

never durst aske of ours III.

Lastly, it had been farre more tolerable for the King, then for any Forraign Nation to have a share in the making our Lawes, because he was likely to partake, and that largely, in the benefit of them, if good; in the inconveniences, if bad; which strangers are not: nay contrarily, it is matter of envy, and jealousie betwixt Neighbours, to see each other in a flourishing estate. So as the proper end of Lawes being to advance the People for whom they are made, in wealth & strength, to the uttermost; they are the most incompetent Iudges of those Lawes in the world, whose interest it is to binder that People from growing extreemly rich or strong.

By what hath been already said, and by a word or two of close, it will (I hope) appeare, that the claime you make to the voting with us in the matter of our Lawes, and the conditions of our Peace, as a thing whereunto we should be obliged by Agreement, is;

I.

Mistaken in matter of Fact, there being no such engagement on either side.

II.

Unreasonable for the considerations above mentioned, and for being destructive to the very principles of Propriety.

III.

Unequall, (notwithstanding the reciprocatation) more then Cyrus his childish judgement was, in making the little buy change coats with the great one, because his was long, and the others short: For our Coats are not only longer then yours, but as fit for us that do weare them, as for you that would.

IIII.

Unusuall, there being no president for it, that I could ever read, or heare of; and yet there have been Leagues betwixt States of a stricter union, then this betwixt us, as offensive, and defensive, ours only defensive.

V.

Unsafe, for the keeping up of hedges, boundaries and distinctions, (I meane recall and jurisdictione onely, not personall and titulary) is a surer way to preserve peace among neighbours, then the throwing all open, and if every man be not admitted wise enough to do his own busines, who ever hath the longest sword, will quickly be the wisest man, and disinherit all his neighbours for Fools.

VI.

Impossible to be made good to you, if it had been agreed: For the Parliament it selfe, from whom you claime, hath not in my humble opinion, authority enough to erect another authority equall to it selfe.

As for your exhortations to piety and loyalty, wherewith you conclude. When you have a mind to offer Sacrifice to your God, and Tribute to your Emperour, (since the one will not be mocked, and the other should not) you may do well to do it of your owne; and to remember, that the late unnaturall Warre, with all the calamities that have ensued thereon, tooke its rise from unnaturall encroachments upon the severall Rights and Liberties of two Nations, resolved it seemed to hold their own, with the hazard of a Warre, and all the calamities that can ensue thereon.

Henry Marten.